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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	Adult Entertainment Commission
MEETING DATE AND TIME:	Thursday, April 28, 2011 at 2:00 p.m.
PLACE:	Cannon Building, 861 Silver Lake Boulevard Conference Room A, Dover, Delaware 19904
MINUTES APPROVED:	July 28, 2011

MEMBERS PRESENT

James Nutter, Chairman
Maisha Britt, Public Member
John Henry, Public Member
Mary Kate McLaughlin, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Andrew Kerber, DAG
Michele Howard, Administrative Specialist II

ALSO PRESENT

Christopher Miles, Leather Central

MEMBERS ABSENT

Robb Carter, Public Member

CALL TO ORDER

Mr. Nutter called the meeting to order at 2:12 p.m.

REVIEW OF MINUTES FOR APPROVAL

The Commission reviewed the minutes of the January 27, 2011 meeting. Dr. Britt made a motion, seconded by Mr. Henry, to approve the minutes as presented. The motion was unanimously approved.

UNFINISHED BUSINESS

AEC's Authority to Require Criminal Background Checks – Status Update from Andrew Kerber

Mr. Kerber reported that at the annual licensing meeting in July 2010, the State Police requested that language be added to the Commission's statute, similar to the statutes of other professions, granting authority for SBI to conduct state and federal criminal background checks on Adult Entertainment applicants and licensees. Mr. Kerber drafted language using the Board of Nursing's statute and forwarded the language to Director Collins. Senate Bill 59 was introduced on April 12, 2011, and will be considered by the Judicial Committee on May 4, 2011. Director Collins will be at the May 4th hearing.

Adult-Oriented Retail Establishments

Mr. Nutter advised that this topic needs to remain an ongoing agenda item. Mr. Kerber and the other Committee members had nothing to report. Mr. Nutter reported that Investigator Bud Mowday has

closed complaint 16-01-11 against Spice of Life. Ms. Howard will contact Investigator Mowday and request a copy of the complaint status for the file.

NEW BUSINESS

Review Application for Adult-Oriented Retail Establishment

Leather Central

Mr. Nutter, Dr. Britt, Mr. Henry and Ms. McLaughlin reviewed the application for Leather Central. Christopher Miles was present as a representative for Leather Central. Mr. Nutter reported that Delaware criminal background reports had been received on all parties of the application, and were in order. Ms. Howard confirmed for Mr. Nutter that the Division did not have any issues with the application. Dr. Britt made a motion, seconded by Ms. McLaughlin, to approve the application contingent upon receipt of federal background reports when the statute allows. Mr. Nutter invited Mr. Miles to address the Commission Members. Mr. Miles stated that the application has been a work in progress. He observed that the board seems to still be working through the process of adult-oriented retail licensure. Mr. Miles is not certain that his establishment needs a license, based on its current sales of adult-oriented products. He is, however, considering increasing his adult-oriented retail floor space. After further discussion, Mr. Miles advised the Commission that he is okay with receiving a license through 7/31/11, and renewing on 8/1/11, if necessary. The motion to approve the application contingent upon receipt of federal background reports was unanimously approved.

Complaint Status

Ms. Urbaniak reported that 2 adult-oriented retail complaints had been forwarded to the Attorney General's office, and 3 had been closed by the Investigative Unit. This information was given at the January Commission meeting, and there were no updates to report at this time.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

None

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

The next meeting will be held on July 28, 2011 at 2:00 p.m. in Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, DE 19904.

ADJOURNMENT

Dr. Britt made a motion, seconded by Mr. Henry, to adjourn. The motion unanimously carried. The meeting adjourned at 2:34 p.m.

Respectfully submitted,



Michele Howard
Administrative Specialist II